IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 2736 of 2005(A)

PETITIONER:

P.A.MOHANAVALLI, JUNIOR PUBLIC HEALTH
NURSE GRADE II, PRIMARY HEALTH CENTRE,
MATTATHUR, PADI P.O., KODALI, TRICHUR DISTRICT.

BY ADV. SRI.A.K.ALEX

RESPONDENTS:
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1. THE DIRECTOR OF HEALTH SERVICE,
THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVT.PLEADER SMT.N.SUDHA DEVI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DT. 22.12.1989.

EXT.P2 : TRUE COPY OF THE PROCEEDINGS OF THE DIST.MEDICAL OFFICER, HEALTH, ERNAKULAM DT. 29.5.1996.

EXT.P3 : TRUE COPY OF THE ORDER OF THE DIST.MEDICAL OFFICER OF HEALTH, PATHANAMTHITTA DT. 16.3.1994.

EXT.P4 : TRUE COPY OF THE JUDGMENT IN CIVIL APPEAL NO.1904/00 OF THE HON'BLE SUPREME COURT DT. 22.3.2003.

EXT.P5 : TRUE COPY OF THE JUDGMENT IN WP.C.NO.493/91 OF THE HON'BLE SUPREME COURT DT. 9.5.1995.

EXT.P6 TRUE COPY OF THE PROCEEDINGS OF THE ADDL.DIRECTOR OF HEALTH SERVICES DT. 30.6.2004.

EXT.P7 TRUE COPY OF THE REPRESENTATION SENT BY THE PETITIONER TO THE FIRST RESPONDENT DT. 19.1.2005.

TGS

KURIAN JOSEPH J.

W.P.(C) No.2736 of 2005

Dated 17th August, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Declare the provisional service of petitioner as regularised service and also to declare that they are entitled to get increment and other service benefits on the basis of the regularization of service of seniority may be fixed on that basis.
>
> (ii) Issue a writ of mandamus or any other appropriate writ order or direction, directing the 1st respondent to consider and dispose of Ext.P7."

It is submitted that in the case of several similarly situated persons, orders have been passed regularising them in service. There will be a direction to the first respondent to consider Exts.P7 and pass appropriate orders thereon in accordance with law with notice to the petitioner, within a period of three months from the date of production of a copy of the judgment, without discriminating the petitioner.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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